

NOTICE OF STATE AGENCY RULEMAKING

PUBLIC INPUT FOR RULES A list of state agency rule proposals is published here each Wednesday. You can get a copy of a proposed rule by contacting the person listed in the notice. You can comment on a proposed rule by submitting a written comment to the agency or by attending the public hearing, if one is scheduled. If no hearing is scheduled, you can request one. The agency must hold a hearing if it receives 5 or more requests. If you have a disability and need assistance to participate in a hearing you should tell the agency at least 7 days before the hearing. **ONLINE INFORMATION** Weekly notices, full text of adopted rules, and a list of agency rulemaking contacts are available at this website:

<https://www.maine.gov/sos/cec/rules/index.html>

PROPOSALS

AGENCY: 10-144 Department of Health and Human Services, Maine Center for Disease Control and Prevention

CHAPTER NUMBER AND TITLE: Ch. 208, Rules Relating to Boys, Girls, Boys and Girls, Day Camps and Primitive and Trip Camping.

TYPE OF RULE: Routine Technical

PROPOSAL TRACKING NUMBER: 2025-P015

BRIEF SUMMARY: The Maine CDC Health Inspection Program is proposing to update and clarify safety and wellness standards for its Rules Relating to Boys, Girls, Boys and Girls, Day Camps and Primitive and Trip Camping (10-144 CMR Ch. 208), which was last updated in 2007. The Department is proposing to change the rule title, add and clarify definitions, incorporate application, licensing and enforcement provisions and requirements from its Administration and Enforcement of Establishments Regulated by the Health Inspection Program Rule (Ch. 201), as well as clarify safety standards for swimming, adventure challenge activities, trip camping, farm animals, subsurface wastewater disposal systems, fire safety, drinking water, certified food protection managers, water temperature for hand washing, health supervisors, standing orders, medication protocols, notifiable conditions and diseases, ensuring proper background checks, hiring and training of staff, supervision ratios for campers, and transportation protocols. In addition, the Department is proposing to clarify the prohibition against abuse, neglect, hazing and bullying, which includes but is not limited to requiring camps to establish and maintain policies that prevent child abuse and neglect, as well as train staff on how to respond to and report allegations or observations of abuse, neglect, hazing or bullying.

PUBLIC HEARING: The Department is updating the date, time and place of public hearing to reflect a change of schedule. The public hearing will take place on Monday, March 17, 2025, 9:00 AM to 11:00 AM at 109 Capitol Street, Conference Room A & B, Augusta, Maine.

COMMENT DEADLINE: The updated comment deadline is Thursday, March 27, 2025.

CONTACT PERSON FOR THIS FILING: Andrew Hardy, 11 SHS-286 Water Street, Augusta, ME 04333-0011, (207) 287-4490; andrew.hardy@maine.gov

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (if different): N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (if any): None.

STATUTORY AUTHORITY FOR THIS RULE: 22 MRS §§ 2491 to 2501

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different): N/A

AGENCY WEBSITE: <https://www.maine.gov/dhhs/mecdc/>
E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:
emily.cathcart@maine.gov

AGENCY: 65-407 Public Utilities Commission

CHAPTER NUMBER AND TITLE: Ch. 616 Specific Exemptions from Regulatory Requirements for Consumer-Owned Water Utilities

TYPE OF RULE: Routine Technical

PROPOSAL TRACKING NUMBER: 2025-P022

BRIEF SUMMARY: The Public Utilities Commission initiates a rulemaking proceeding to amend Chapter 616. By these amendments, the Commission proposes that consumer-owned water utilities that elect to adjust rates pursuant to 35-A M.R.S. § 6104-B must provide notice of the rate adjustment to customers at least 30 days prior to the effective date by regular mail.

PUBLIC HEARING (*if any*): N/A

COMMENT DEADLINE: March 28, 2025. Comments on the proposed rule should be filed electronically using the Commission's Case Management System (CMS). Commenters should refer to Docket No. 2025-00046 when submitting comments.

CONTACT PERSON FOR THIS FILING: Jordan McColman, 18 State House Station, Augusta, ME 04333; (207) 287- 1321; jordan.mccolman@maine.gov

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (*if different*): N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (*if any*): None

STATUTORY AUTHORITY FOR THIS RULE: 35-A M.R.S. §§ 6104-B and 6114

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (*if different*):

AGENCY WEBSITE: www.maine.gov/mpuc

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:

pamela.kowalchuk@maine.gov

AGENCY: 06-096 Department of Environmental Protection

CHAPTER NUMBER AND TITLE: Ch. 379, Compensation for Impacts to High-Value Agricultural Land from Solar Energy Development

TYPE OF RULE: Major Substantive

PROPOSAL TRACKING NUMBER: 2025-P023

BRIEF SUMMARY: The Department is proposing a new rule chapter to implement 38 M.R.S. § 484-C of the Site Location of Development Law. P.L. 2023, ch. 448 directed the Department, in concert with the Department of Agriculture, Conservation, and Forestry (DACF), to create a compensation fee program for impacts to high-value agricultural land from solar energy developments that require a Site Law permit. This proposed rule would work in concert with DACF's proposed rule Chapter 575, Permitting Solar Energy Development on High-Value Agricultural Land. DACF's proposed Chapter 575 defines high-value agricultural land, establishes varying tiers based on value, and sets compensation ratios for each tier. The DEP's proposed Chapter 379 addresses the practical

components of approving and accepting compensation fees and compensation projects for impacts to high-value agricultural lands identified during the DACF permitting process.

PUBLIC HEARING: March 20, 2025, 9:00am, Augusta Civic Center, 76 Community Dr, Augusta, Maine

COMMENT DEADLINE: March 31, 2025

CONTACT PERSON FOR THIS FILING:

Naomi Kirk-Lawlor
17 State House Station
Augusta, ME 04333
Phone: 207-287-7844

naomi.kirk-lawlor@maine.gov

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (*if different*): N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (*if any*): N/A

STATUTORY AUTHORITY FOR THIS RULE: 38 M.R.S. § 341-H; 38 M.R.S. § 484-C; P.L. 2023, ch. 448, *An Act Regarding Compensation Fees and Related Conservation Efforts to Protect Soils and Wildlife and Fisheries Habitat from Solar and Wind Energy Development and High-impact Electric Transmission Lines Under the Site Location of Development Laws*

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (*if different*): see above

AGENCY WEBSITE: www.maine.gov/dep/rules

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:

Mark.T.Margerum@Maine.gov

ADOPTIONS

AGENCY: 65-407 Maine Public Utilities Commission

CHAPTER NUMBER AND TITLE: Ch. 830, *Political Activities, Charitable Contributions, Educational Expenditures, Institutional Advertising, Promotional Advertising, and Promotional Allowances by Public Utilities.*

ADOPTION TRACKING NUMBER: 2025-030

CONCISE SUMMARY:

The Public Utilities Commission initiates a rulemaking proceeding to repeal Chapter 83 of the Commission's rules, which governs political activities, institutional advertising, promotional advertising, and promotional allowances by public utilities, and replace it with Chapter 830 to implement recently enacted legislation.

EFFECTIVE DATE: Wednesday, February 26, 2025

AGENCY CONTACT PERSON: Pam Kowalchuk, pamela.kowalchuk@maine.gov

AGENCY NAME: Public Utilities Commission

ADDRESS: 18 State House Station, Augusta, ME 04333-0018

TELEPHONE: 207-287-1564

AGENCY: 18-125 Department of Administrative and Financial Services (DAFS), Maine Revenue Services (MRS)
CHAPTER NUMBER AND TITLE: Ch. 104, Filing of Maine Tax Returns
ADOPTION TRACKING NUMBER: 2025-034

CONCISE SUMMARY:

Maine Revenue Services is proposing to amend Rule 104 (“Filing of Maine Tax Returns”) to impose an electronic filing requirement on certain taxpayers and tax return preparers filing Form REW-5 (Request for Exemption or Reduction in Withholding of Maine Income Tax on the Disposition of Maine Real Property) on or after July 1, 2025, Maine income tax returns for trusts and estates after 2025, and partnership reports of federal adjustments after 2025. A waiver from the electronic filing requirement may be obtained if the requirement causes undue hardship. The proposed amended rule also makes certain other technical changes for clarification.

EFFECTIVE DATE: Tuesday, February 25, 2025

AGENCY CONTACT PERSON: Alex Weber, General Counsel
AGENCY NAME: Maine Revenue Services
ADDRESS: 24 State House Station, Augusta, Maine 04333
TELEPHONE: 207-624-9712

AGENCY: 18-125 Department of Administrative and Financial Services (DAFS), Maine Revenue Services (MRS)
CHAPTER NUMBER AND TITLE: Ch. 301, Sales for Resale and Sales of Packaging Materials
ADOPTION TRACKING NUMBER: 2025-035

CONCISE SUMMARY:

This rule establishes procedures for making sales for resale, including leases or rentals and certain sales to service providers, and sales of packaging materials without collecting sales tax, and sets forth requirements for certification of such sales.

EFFECTIVE DATE: Tuesday, February 25, 2025

AGENCY CONTACT PERSON: Alex Weber, General Counsel
AGENCY NAME: Maine Revenue Services
ADDRESS: 24 State House Station, Augusta, Maine 04333
TELEPHONE: 207-624-9712

AGENCY: 18-125 Department of Administrative and Financial Services (DAFS), Maine Revenue Services (MRS)
CHAPTER NUMBER AND TITLE: Ch. 318, Instrumentalities of Interstate or Foreign Commerce
ADOPTION TRACKING NUMBER: 2025-036

CONCISE SUMMARY:

This rule explains the application of the exemption from sales or use tax for a vehicle, railroad rolling stock, aircraft or watercraft used by the purchaser or lessee in interstate or foreign commerce.

EFFECTIVE DATE: Tuesday, February 25, 2025

AGENCY CONTACT PERSON: Alex Weber, General Counsel
AGENCY NAME: Maine Revenue Services
ADDRESS: 24 State House Station, Augusta, Maine 04333
TELEPHONE: 207-624-9712

AGENCY: 16-163 Department of Public Safety, Emergency Medical Services Board (Maine EMS)
CHAPTER NUMBER AND TITLE: Ch. 27, Implementation of EMS Sustainability Program
ADOPTION TRACKING NUMBER: 2025-038

CONCISE SUMMARY:

The Emergency Medical Services Board has adopted a new rule to implement the sustainability program created by P.L. 2023, c. 412, Pt. GGGGG, and as amended by P.L. 2023, c. 438, setting forth the application, allocation, and award process for \$19,308,000.00, allocating funds to entities eligible under the rule including Transporting Ambulance Services, Non-transporting Ambulance Services, business entities designated as Regional Councils, and Maine EMS-authorized Training Centers.

EFFECTIVE DATE: Tuesday, February 25, 2025

AGENCY CONTACT PERSON: Jason J. Cooney
AGENCY NAME: Emergency Medical Services Board
ADDRESS: 152 State House Station, Augusta, ME 04333-0152
TELEPHONE: 207-626-3864